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David Fichtenberg
Ad-hoc Association of Parties Concerned About the Federal
Communications Commission's Radiofrequency Health and Safety Rules
PO Box 7577
Olympia, WA 98507-7577

July 14, 1997

The Secretary
Federal Communications Commission
1919 M. Street N.W. Room 222
Washington, DC 20554

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In the Matter of) ET-Docket No. 93-62
) and in this docket pertaining to:
Guidelines for Evaluating the Environmental) - Report and Order FCC 96-326
Effects of Radiofrequency Radiation) - First Memorandum of Understanding
Order FCC 96-487

**Ex Parte Comments Pertaining to ET-Docket 93-62 Regarding
PETITIONS FOR RECONSIDERATION of Commission Rule & Order FCC 96-326,
and First Memorandum of Opinion and Order FCC 96-487**

with original and 1 copy submitted to the Secretary of the Commission
in accordance with 47 CFR Sections 1.1202, 1.1203, and 1.1206(a)
5th Ex Parte Submission

Dear Mr. Secretary,

Enclosed please find an original and 1 copy of an ex parte presentation pertaining to ET-Docket 93-62. Please assure these are put in the official record of this proceeding. The presentation includes the accompanying letter to the Commission and enclosed Exhibits #1-85, 87-92, 94-100, and 105 to 166.

Thank you,

David Fichtenberg

David Fichtenberg
Ad-hoc Association of Parties Concerned About the Federal Communications Commission's
Radiofrequency Health and Safety Rules
PO Box 7577
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July 14, 1997

Copy of presentation sent to: Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W. Room 814
Washington, D.C. 20554

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Before the
FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of)	ET-Docket No. 93-62
)	and in this docket pertaining to:
Guidelines for Evaluating the Environmental)	- Report and Order FCC 96-326
Effects of Radiofrequency Radiation)	- First Memorandum of Understanding
		Order FCC 96-487

To: The Commission

Ex Parte Comments Pertaining to ET-Docket 93-62
Regarding

PETITIONS FOR RECONSIDERATION of Commission Rule & Order FCC 96-326,
and First Memorandum of Opinion and Order FCC 96-487

dated July 14, 1997

with original and 1 copy submitted to the Secretary of the Commission
in accordance with ex parte submission rules in 47 CFR Section 1.1202, 1.1203, and 1.1206(a)

Submitted by the Ad-hoc Association of Parties Concerned About the Federal Communications
Commission's Radiofrequency Health and Safety Rules, PO Box 7577, Olympia, WA 98507-7577

5th Ex Parte Submission

1. Introduction:

1.1 Appropriate submission of an ex parte presentation

The Ad-hoc Association of Parties Concerned About the Federal Communications Commission's Radiofrequency ("RF") Health and Safety Rules ("the Ad-Hoc Association") understands (i) that a Federal Communications Commission ("Commission") "Sunshine Agenda" period per 47 CFR Section 1.1202(f) and Section 1.1203 is not now in effect regarding ET-Docket 93-62; (ii) that administrative finality has not yet been decided upon concerning the Commission's responses to Petitions For Reconsideration that have been submitted in this proceeding; and that (iii) this proceeding permits ex parte presentations in accordance with 47 CFR §1.1202, 1.1203, and 1.1206(a), and in accordance with the April 8, 1993 Notice of Proposed Rule Making in ET-Docket 93-62, paragraph 30. Accordingly, the Ad-Hoc Association is properly making this ex parte submission.

1.2. The primary purpose of this submission is to provide documentation of original sources to assist in and to facilitate the verifying of claims and evaluating of requests in petitions for reconsideration made by the Ad-Hoc Association or other parties concerned that the Commission's rules in this proceeding may not be sufficiently protective of the public health and who have submitted petitions for reconsideration of FCC 96-326 and FCC 96-487.

To the extent that these source documents were not previously referenced in presentations to the Commission, these documents and reports became available and understood after the last opportunity for filing in this matter, and in any event, consideration of these documents significantly provides support to claims of changes needed for the public health and their consideration is in the public interest.

In this way, the Ad-Hoc Association is providing an opportunity for the Commission to review and pass upon the matters presented herein, and by so doing the Commission will have the opportunity of verifying claims which have been made and of considering any newly discovered evidence which support the requests in the Ad-Hoc Association FCC 96-326 and FCC 96-487 petitions, and in any event, even if the Commission finds otherwise, the Commission's consideration of these documents which verify and further support the Commission's approval of Ad-Hoc Association requests is in the public interest.

Should the Commission find it should make changes elsewhere in its rules based on the evidence herein, it is requested that it do so, and make any other modifications it finds to be just and proper to serve the public interest.

2. Documents presented may help expedite requested evaluation by federal health agencies

2.1 Since the Commission has stated that it does not have expertise in RF health and safety matters (as noted and referenced in FCC 96-326), and since the Commission has stated that its policy is to defer for guidance to the federal health agencies with RF health expertise and participating in this proceeding, therefore, a set of documents provided for the purpose described in #1 above has been provided to the Chairman of the Commission in order to provide these documents to those to whom the Commission defers for guidance in evaluating the claims and requests made in petitions for reconsideration by the Ad-Hoc Association and other parties

concerned that which the Commission's rules may not be sufficiently protective - thereby facilitating such evaluations. It is also provided so that the Commission may review these documents and so better appreciate how its rules may not be sufficiently protective.

2.2 Enclosed please find Exhibits numbered 1-85, 87-92, 94-100, 105-166 which are provided to the Commission in accordance with #1.1, 1.2, and #2.1 above.

Respectfully Submitted,

A handwritten signature in black ink, reading "David Fichtenberg". The signature is written in a cursive, flowing style with a large, prominent "D" and "F".

David Fichtenberg
Spokesperson for the Ad-Hoc Association of Parties Concerned About the Federal
Communications Commission's Radiofrequency Health and Safety Rules et al
PO Box 7577
Olympia, WA 98507-7577 Tel: (206) 722-8306

Dated: July 14, 1997

Enclosures

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.

- o Microfilm, microform, certain photographs or videotape.

- ✓ Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

Exhibits #1-85, 87-92, 94-100,
and 105 to 166